

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	§	
Colligan, Thomas R. et al.	§	
	§	Confirmation No.: 2026
Serial No. 09/727,667	§	
	§	Group Art Unit: 2179
Filed: December 1, 2000	§	
	§	Examiner: Chuong, Truc T.
For: SYSTEM AND METHOD FOR	§	
PROVIDING ACOUSTIC	§	
MANAGEMENT IN A COMPUTER	§	

APPELLANT BRIEF

Mail Stop Appeal Briefs – Patent
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Brief is submitted in connection with an appeal from the Final Rejection of the Examiner mailed to the Applicants on June 13, 2006, finally rejecting claims 1, 2, 4-10, 12-18, 20-24, and 30-36, all of the pending claims in this application.

REAL PARTY IN INTEREST

The real party in interest is Dell Products L.P., a Texas Limited Partnership, having a principal place of business at One Dell Way, Round Rock, Texas 78661, United States of America.

RELATED APPEALS AND INTERFERENCES

There are no related appeals and no related interferences regarding the above-identified patent application.

STATUS OF CLAIMS

The status of the claims is as follows:

Claims 1, 2, 4-10, 12-18, 20-24, and 30-36 are pending in the application and are rejected.

Claims 3, 11, 19, and 25-29 are canceled.

The final rejection of claims 1, 2, 4-10, 12-18, 20-24, and 30-36 is appealed.

Claims 1, 2, 4-10, 12-18, 20-24, and 30-36 are set forth in Appendix A, attached hereto.

STATUS OF AMENDMENTS

A Final Office Action was mailed to the Applicants on June 13, 2006, finally rejecting claims 1, 2, 4-10, 12-18, 20-24, and 30-36. No amendment has been made subsequent to the Final Office Action.

A Notice of Panel Decision from the Pre-Appeal Brief Review was mailed on October 23, 2006, indicating that claims 1, 2, 4-10, 12-18, 20-24, and 30-36 were rejected and that the application remains under appeal because there is at least one actual issue for appeal, and requiring Applicants to submit an Appeal Brief in accordance with 37 CFR § 41.37.

SUMMARY OF THE CLAIMED SUBJECT MATTER

The present invention, in one embodiment, as now set forth in independent claim 1, relates to a method of providing acoustic management in a computer comprising:

receiving from a user instructions regarding a selected acoustic level via an interface; (p. 3, ll. 21-30; p. 5, ll. 12-19; Fig. 2; Fig. 3 element 300)

using an acoustic level bar and a computer input device for selecting a desired acoustic level; (p. 3, ll. 21-25; p. 5, ll. 12-15; Fig. 2; elements 202, 204)

a dial indicating, as a percentage of a maximum possible acoustic level, the acoustic level selected; (p. 3, ll. 25-26; p. 5, ll. 12-15; Fig. 2, element 206)

performing a pre-test to determine current hard disk drive seek settings and current system settings in the computer, the hard disk drive including a plurality of preset seek profiles, each having a known acoustic level, the system settings determining a power management level; (p. 3, ll. 6-20; p. 3, l. 29 to p. 4, l. 4; p. 5, ll. 12-15; Fig. 1; Fig. 3 element 302)

adjusting an operational level of at least one subsystem of the computer to achieve the selected acoustic level including adjusting a seek time of the hard disk drive of the computer; (p. 3, ll. 6-20; p. 4, l. 6 to p. 5, l. 2; p. 5, ll. 12-15; Fig. 1, element 120; Fig. 3, elements 304, 306, 308, 310, 312)

making corresponding adjustments by at least one power management system in the computer; and (p. 3, ll. 6-20; p. 4., l. 11 to p. 5, l. 2; p. 5, ll. 12-15; Fig. 1, element 120; Fig. 3, elements 306, 308, 310, 312)

performing a post-test to determine if further adjustment is desired. (p. 3, ll. 6-20; p. 5, ll. 4-19; Fig. 1, element 120; Fig. 3 element 314)

The present invention, in an embodiment, as now set forth in independent claim 9, relates to a system for providing acoustic management in a computer comprising:

means for receiving from a user instructions regarding a selected acoustic level; (p. 3, ll. 21-30; p. 5, ll. 12-19; Fig. 2; Fig. 3 element 300)

an acoustic level bar and a computer input device coupled to select a desired acoustic level; (p. 3, ll. 21-25; p. 5, ll. 12-15; Fig. 2; elements 202, 204)

a dial provided to indicate, as a percentage of a maximum possible acoustic level, the acoustic level selected; (p. 3, ll. 25-26; p. 5, ll. 12-15; Fig. 2, element 206)

means for performing a pre-test to determine current hard disk drive seek settings and current system settings in the computer, the hard disk drive including a plurality of preset seek profiles, each having a known acoustic level, the system settings determining a power management level; (p. 3, ll. 6-20; p. 3, l. 29 to p. 4, l. 4; p. 5, ll. 12-15; Fig. 1; Fig. 3 element 302)

means for adjusting an operational level of at least one subsystem of the computer to achieve the selected acoustic level, said means for adjusting including adjusting a seek time of the hard disk drive of the computer; (p. 3, ll. 6-20; p. 4, l. 6 to p. 5, l. 2; p. 5, ll. 12-15; Fig. 1, element 120; Fig. 3, elements 304, 306, 308, 310, 312)

means for making corresponding adjustments by at least one power management system in the computer; and (p. 3, ll. 6-20; p. 4., l. 11 to p. 5, l. 2; p. 5, ll. 12-15; Fig. 1, element 120; Fig. 3, elements 306, 308, 310, 312)

means for performing a post-test to determine if further adjustment is desired. (p. 3, ll. 6-20; p. 5, ll. 4-19; Fig. 1, element 120; Fig. 3 element 314)

The present invention, in one embodiment, as now set forth in independent claim 17, relates to a computer including an acoustic management system, the computer comprising:

a processor for executing instructions; (p. 3, ll. 7-20; Fig. 1, elements 102, 120)

a subsystem having more than one operational levels; (p. 3, ll. 6-20; Fig. 1)
means for receiving from a user instructions regarding a selected acoustic level;
(p. 3, ll. 21-30; p. 5, ll. 12-19; Fig. 2; Fig. 3 element 300)

an acoustic level bar and a computer input device coupled to select a desired
acoustic level; (p. 3, ll. 21-25; p. 5, ll. 12-15; Fig. 2; elements 202, 204)

a dial provided to indicate, as a percentage of a maximum possible acoustic
level, the acoustic level selected; (p. 3, ll. 25-26; p. 5, ll. 12-15; Fig. 2, element 206)

means for performing a pre-test to determine current hard disk drive seek
settings and current system settings in the computer, the hard disk drive including a
plurality of preset seek profiles, each having a known acoustic level, the system settings
determining a power management level; (p. 3, ll. 6-20; p. 3, l. 29 to p. 4, l. 4; p. 5, ll. 12-
15; Fig. 1; Fig. 3 element 302)

means for adjusting an operational level of the subsystem to achieve the
selected acoustic level, said means for adjusting including adjusting a seek time of the
hard disk drive of the computer; (p. 3, ll. 6-20; p. 4, l. 6 to p. 5, l. 2; p. 5, ll. 12-15; Fig. 1,
element 120; Fig. 3, elements 304, 306, 308, 310, 312)

means for making corresponding adjustments by at least one power
management system in the computer; and (p. 3, ll. 6-20; p. 4, l. 11 to p. 5, l. 2; p. 5, ll.
12-15; Fig. 1, element 120; Fig. 3, elements 306, 308, 310, 312)

means for performing a post-test to determine if further adjustment is desired. (p.
3, ll. 6-20; p. 5, ll. 4-19; Fig. 1, element 120; Fig. 3 element 314)

The present invention, in another embodiment, as now set forth in independent claim
30, relates to a method of providing acoustic management in a system for handling information
comprising:

providing a computing device including a processor and a storage; (p. 3, ll. 6-20;
p. 3, l. 26 to p. 5, l. 19; Figs. 1, 3)

receiving from a user, instructions regarding a selected acoustic level via an
interface; (p. 3, ll. 21-30; p. 5, ll. 12-19; Fig. 2; Fig. 3 element 300)

using an acoustic level bar and a computer input device for selecting a desired
acoustic level; (p. 3, ll. 21-25; p. 5, ll. 12-15; Fig. 2; elements 202, 204)

a dial indicating, as a percentage of a maximum possible acoustic level, the acoustic level selected; (p. 3, ll. 25-26; p. 5, ll. 12-15; Fig. 2, element 206)

performing a pre-test to determine current media drive seek settings and current system settings in the computer, the media drive including a plurality of preset seek profiles, each having a known acoustic level, the system settings determining a power management level; (p. 3, ll. 6-20; p. 3, l. 29 to p. 4, l. 4; p. 5, ll. 12-15; Fig. 1; Fig. 3 element 302)

adjusting an operational level of at least one subsystem of the computing device to achieve the selected acoustic level including adjusting a seek time of the media drive of the computing device; (p. 3, ll. 6-20; p. 4, l. 6 to p. 5, l. 2; p. 5, ll. 12-15; Fig. 1, element 120; Fig. 3, elements 304, 306, 308, 310, 312)

making corresponding adjustments by at least one power management system in the computer; and (p. 3, ll. 6-20; p. 4, l. 11 to p. 5, l. 2; p. 5, ll. 12-15; Fig. 1, element 120; Fig. 3, elements 306, 308, 310, 312)

performing a post-test to determine if further adjustment is desired. (p. 3, ll. 6-20; p. 5, ll. 4-19; Fig. 1, element 120; Fig. 3 element 314)

The present invention, in another embodiment, as now set forth in independent claim 31, relates to an acoustic management system for use in a system for handling information comprising:

means for storing, handling and computing information; (p. 3, ll. 6-20; p. 3, l. 26 to p. 5, l. 19; Figs. 1, 3)

means for receiving from a user, instructions regarding a selected acoustic level; (p. 3, ll. 21-30; p. 5, ll. 12-19; Fig. 2; Fig. 3 element 300)

an acoustic level bar and a computer input device coupled to select a desired acoustic level; (p. 3, ll. 21-25; p. 5, ll. 12-15; Fig. 2; elements 202, 204)

a dial provided to indicate, as a percentage of a maximum possible acoustic level, the acoustic level selected; (p. 3, ll. 25-26; p. 5, ll. 12-15; Fig. 2, element 206)

means for performing a pre-test to determine current media drive seek settings and current system settings in the computer, the media drive including a plurality of preset seek profiles, each having a known acoustic level, the system settings

determining a power management level; (p. 3, ll. 6-20; p. 3, l. 29 to p. 4, l. 4; p. 5, ll. 12-15; Fig. 1; Fig. 3 element 302)

means for adjusting an operational level of at least one subsystem of the means for computing to achieve the selected acoustic level, said means for adjusting including a seek time of the media drive of the means for computing; (p. 3, ll. 6-20; p. 4, l. 6 to p. 5, l. 2; p. 5, ll. 12-15; Fig. 1, element 120; Fig. 3, elements 304, 306, 308, 310, 312)

means for making corresponding adjustments by at least one power management system in the computer; and (p. 3, ll. 6-20; p. 4., l. 11 to p. 5, l. 2; p. 5, ll. 12-15; Fig. 1, element 120; Fig. 3, elements 306, 308, 310, 312)

means for performing a post-test to determine if further adjustment is desired. (p. 3, ll. 6-20; p. 5, ll. 4-19; Fig. 1, element 120; Fig. 3 element 314)

The present invention, in yet another embodiment, as now set forth in independent claim 32, relates to a method of providing acoustic management in a computer comprising:

selecting an operational level of a cooling subsystem in response to a user input indicating a desired acoustic level; and (p. 3, l. 21 to p. 4, l. 20; Fig. 2; Fig. 3, elements 300, 306, 308)

adjusting operation of at least one computer component to maintain a thermal profile manageable by the cooling subsystem operating at the selected operational level. (p. 4, l. 6 to p. 5, l. 2; Fig. 3, elements 306, 308)

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

1. Claims 1, 2, 4-10, 12-18, 20-24, and 30-36 were rejected under 35 U.S.C. § 103(a) as unpatentable over Singer et al. (U.S. Patent No. 6,314,473 B1) (hereinafter Singer) in view of Funches et al. (U.S. Patent No. 5,305,160) (hereinafter Funches) and further in view of Stancil et al. (U.S. Patent No. 6,601,168 B1) (hereinafter Stancil).

ARGUMENT

For purposes of argument, the claims have been grouped as follows. Claims 1, 2, 6, 8, 9, 10, 14, 16, 17, 18, 22, 24, 30, and 31 are patentable at least for similar reasons, as presented in a first section. Claims 4, 12, and 20 are additionally patentable at least for similar reasons presented in a second section. Claims 5, 13, 21, and 32-36 are patentable at least for

similar reasons presented in a third section. Claims 7, 15, and 23 are additionally patentable at least for similar reasons presented in a fourth section.

Claims 1, 2, 6, 8, 9, 10, 14, 16, 17, 18, 22, 24, 30, and 31

As the PTO recognizes in M.P.E.P. § 2142:

The Examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the Examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness.

As to this grouping of claims, a *prima facie* case of obviousness is missing, at least because the combination of references fails to disclose each element of the claims or suggest the missing elements.

The claims at issue deal generally with acoustic management of a computer. Each claim in this group contains limitations similar to the following limitations found in claim 1:

adjusting an operational level of at least one subsystem of the computer to achieve the selected acoustic level including adjusting a seek time of the hard disk drive of the computer;

making corresponding adjustments by at least one power management system in the computer; and

The rejection asserts that Singer teaches adjusting an operational level of at least one subsystem of the computer to achieve the selected acoustic level and making corresponding adjustments by at least one power management system in the computer. (Final Office Action of June 13, 2006 at 3.) Although Singer provides the user with independent controls for both acoustic level and power consumption of a disk drive, Singer (as well as the other references) fails to teach or suggest that when the method adjusts an operational level of a subsystem to achieve a selected acoustic level, the method also makes corresponding adjustments to a power management system.

The rejection points to a section of Singer (col. 7, l. 62 to col. 8, l. 8 and Figs. 4-8) that clearly teaches independent manipulation of power consumption and noise level, not automatic corresponding adjustments to a power management system in response to adjustments in an operational level. For instance, Singer Figures 4-8 show separate "power saver mode" check boxes that are not affected by acoustic adjustments, Figure 6 shows a completely separate control box for power consumption only, and Figure 7 and 8 show independent controls for noise level and power consumption. Thus the rejection fails to show any prior art teaching or

suggestion for the claim 1 limitation "making corresponding adjustments by at least one power management system in the computer," and is therefore insufficient to create a *prima facie* case of obviousness.

The rejection also fails to provide a prior teaching or suggestion for the claim 1 limitation "performing a post-test to determine if further adjustment is desired." The rejection cites a section of Stancil (Abstract and col. 4, l. 44 to col. 5, l. 3) that merely describes traditional thermal control via fan speed based on temperature feedback, with fan speed changes made at a stored ramp rate. Audio noise is never monitored nor "post-tested" by Stancil, as the fan will adjust at the stored ramp rate to whatever speed (and audio noise) is required to adequately cool the CPU. Applicant therefore disagrees that operating a closed-loop fan control system to control temperature – not audio level – teaches or suggests, to one adjusting an operational level to achieve a selected acoustic level and making corresponding adjustments by at least one power management system, "performing a post-test to determine if further adjustment is desired."

Claims 4, 12, and 20

As to this grouping of claims, a *prima facie* case of obviousness is missing, at least because the combination of references fails to disclose each element of the claims or suggest the missing elements. In addition to the arguments above, each of these claims is patentable because it contains a limitation, not found in the prior art, similar to the claim 4 limitation "wherein the adjusting an operational level of at least one subsystem of the computer comprises adjusting the speed of an internal fan."

In the rejection of claim 4, the rejection fails to show a prior art teaching of "adjusting the speed of an internal fan" that occurs as part of "adjusting an operational level of at least one subsystem of the computer to achieve the selected acoustic level" as claimed. Stancil, which was cited for this claim, merely controls the rate of change of fan speed, in response to CPU temperature changes, to make fan speed changes less obvious to the user. This "trick" fails to respond to any selected acoustic level, and fails to ultimately affect the acoustic level dictated by CPU temperature. Neither the references nor the rejection show any teaching, suggestion, or motivation to modify Stancil's temperature control system to achieve a selected acoustic level rather than a desired CPU temperature.

Claims 5, 13, 21, and 32-36

As to this grouping of claims, a *prima facie* case of obviousness is missing, at least because the combination of references fails to disclose each element of the claims or suggest the missing elements. In addition to the arguments above, each of dependent claims 5, 13, and 21 is patentable because it contains a limitation, not found in the prior art, similar to the claim 5 limitation "wherein the adjusting an operational level of at least one subsystem of the computer comprises making corresponding adjustments to overall operation of a portion of the computer to maintain a heat production level of the computer at a level that can be managed by the internal fan operating at the adjusted speed." Independent claim 32 is patentable for reasons similar to those presented in the preceding section regarding claim 4, and also at least because it contains a limitation "adjusting operation of at least one computer component to maintain a thermal profile manageable by the cooling subsystem operating at the selected operational level." These limitations are wholly missing from the prior art combination and the rejection.

On this point, the rejection's citation of Stancil is exactly opposite to the claim teaching—Stancil adjusts fan speed based on heat production level, instead of adjusting operational level and therefore heat production level based on fan speed as claimed. No cited reference contains a teaching or suggestion to overhaul Stancil to reverse cause and effect.

Claims 7, 15, and 23

As to this grouping of claims, a *prima facie* case of obviousness is missing, at least because the combination of references fails to disclose each element of the claims or suggest the missing elements. In addition to the arguments above regarding the claims from which these claims respectively depend, each of these claims is patentable because it contains a limitation, not found in the prior art, similar to the claim 7 limitation "wherein the adjusting an operational level of at least one subsystem of the computer comprises adjusting a speed of a peripheral bus, with corresponding adjustments to a speed of at least one peripheral device connected to the peripheral bus."

The rejection of claim 7 fails to show any prior art teaching of the adjusting an operational level of at least one subsystem of the computer comprising adjusting a speed of a peripheral bus and a peripheral device connected to the peripheral bus. The rejection points to Stancil's fan as attached to an SMBus, but points to no prior art teaching of adjusting the speed of the SMBus or any other bus.

In view of the foregoing, it is impossible to render the subject matter of the claims as a whole obvious based on a single reference or any combination of the references, and the explicit terms of 35 U.S.C. § 103(a) cannot be met. As a result, the USPTO's burden of factually supporting a *prima facie* case of obviousness clearly cannot be met with respect to the claims, and a rejection under 35 U.S.C. § 103(a) is not applicable.

Therefore, there is no support for an obviousness rejection of the claimed subject matter as a whole because the references fail to disclose each element or suggest the missing elements.

CONCLUSION

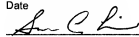
Accordingly, it is respectfully submitted that the combination of Singer, Funches, and Stancil does not teach nor suggest all of the claimed elements and does not suggest the desirability of the claimed combination.

For all of the foregoing reasons, it is respectfully submitted that claims be allowed. A prompt notice to that effect is earnestly solicited.

Respectfully submitted,


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CERTIFICATE OF TRANSMISSION	
I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office, via EFS-Web, on the date indicated below:	
on	<u>November 22, 2006</u>
Date	<u></u>
Susan C. Lien	

CLAIMS APPENDIX

1. (Previously Presented) A method of providing acoustic management in a computer comprising:
 - receiving from a user instructions regarding a selected acoustic level via an interface;
 - using an acoustic level bar and a computer input device for selecting a desired acoustic level;
 - a dial indicating, as a percentage of a maximum possible acoustic level, the acoustic level selected;
 - performing a pre-test to determine current hard disk drive seek settings and current system settings in the computer, the hard disk drive including a plurality of preset seek profiles, each having a known acoustic level, the system settings determining a power management level;
 - adjusting an operational level of at least one subsystem of the computer to achieve the selected acoustic level including adjusting a seek time of the hard disk drive of the computer;
 - making corresponding adjustments by at least one power management system in the computer; and
 - performing a post-test to determine if further adjustment is desired.
2. (Original) The method of claim 1 further comprising:
 - subsequent to the adjusting, demonstrating to the user the selected acoustic level.
3. (Canceled).
4. (Original) The method of claim 1 wherein the adjusting an operational level of at least one subsystem of the computer comprises adjusting the speed of an internal fan.
5. (Original) The method of claim 4 wherein the adjusting an operational level of at least one subsystem of the computer comprises making corresponding adjustments to overall operation of a portion of the computer to maintain a heat production level of the

computer at a level that can be managed by the internal fan operating at the adjusted speed.

6. (Original) The method of claim 1 wherein the adjusting an operational level of at least one subsystem of the computer is performed using redefined power management levels of the computer.
7. (Original) The method of claim 1 wherein the adjusting an operational level of at least one subsystem of the computer comprises adjusting a speed of a peripheral bus, with corresponding adjustments to a speed of at least one peripheral device connected to the peripheral bus.
8. (Original) The method of claim 1 further comprising, prior to the receiving, displaying a graphical user interface for enabling the user to select an acoustic level.
9. (Previously Presented) A system for providing acoustic management in a computer comprising:
 - means for receiving from a user instructions regarding a selected acoustic level;
 - an acoustic level bar and a computer input device coupled to select a desired acoustic level;
 - a dial provided to indicate, as a percentage of a maximum possible acoustic level, the acoustic level selected;
 - means for performing a pre-test to determine current hard disk drive seek settings and current system settings in the computer, the hard disk drive including a plurality of preset seek profiles, each having a known acoustic level, the system settings determining a power management level;
 - means for adjusting an operational level of at least one subsystem of the computer to achieve the selected acoustic level, said means for adjusting including adjusting a seek time of the hard disk drive of the computer;
 - means for making corresponding adjustments by at least one power management system in the computer; and
 - means for performing a post-test to determine if further adjustment is desired.

10. (Original) The system of claim 9 further comprising:
means for previewing to the user the selected acoustic level subsequent to the adjusting.
11. (Canceled).
12. (Original) The system of claim 9 wherein the means for adjusting an operational level of at least one subsystem of the computer comprises means for adjusting the speed of an internal fan.
13. (Original) The system of claim 12 wherein the means for adjusting an operational level of at least one subsystem of the computer comprises means for making corresponding adjustments to overall operation of a portion of the computer to maintain a heat production level of the computer at a level that can be managed by the internal fan operating at the adjusted speed.
14. (Original) The system of claim 9 wherein the means for adjusting an operational level of at least one subsystem of the computer comprises a power management system of the computer.
15. (Original) The system of claim 9 wherein the means for adjusting an operational level of at least one subsystem of the computer comprises means for adjusting a speed of a peripheral bus, with corresponding adjustments to a speed of at least one peripheral device connected to the peripheral bus.
16. (Original) The system of claim 9 wherein the means for receiving comprises a graphical user interface for enabling the user to select an acoustic level.
17. (Previously Presented) A computer including an acoustic management system, the computer comprising:
a processor for executing instructions;
a subsystem having more than one operational levels;
means for receiving from a user instructions regarding a selected acoustic level;

an acoustic level bar and a computer input device coupled to select a desired acoustic level;

a dial provided to indicate, as a percentage of a maximum possible acoustic level, the acoustic level selected;

means for performing a pre-test to determine current hard disk drive seek settings and current system settings in the computer, the hard disk drive including a plurality of preset seek profiles, each having a known acoustic level, the system settings determining a power management level;

means for adjusting an operational level of the subsystem to achieve the selected acoustic level, said means for adjusting including adjusting a seek time of the hard disk drive of the computer;

means for making corresponding adjustments by at least one power management system in the computer; and

means for performing a post-test to determine if further adjustment is desired.

18. (Original) The computer of claim 17 further comprising:

means for previewing to the user the selected acoustic level subsequent to the adjusting.

19. (Canceled).

20. (Previously Presented) The computer of claim 17 wherein the means for adjusting an operational level of the subsystem of the computer comprises means for adjusting the speed of an internal fan.

21. (Previously Presented) The computer of claim 20 wherein the means for adjusting an operational level of the subsystem of the computer comprises means for making corresponding adjustments to overall operation of a portion of the computer to maintain a heat production level of the computer at a level that can be managed by the internal fan operating at the adjusted speed.

22. (Previously Presented) The computer of claim 17 wherein the means for adjusting an operational level of the subsystem of the computer comprises a power management system of the computer.
23. (Previously Presented) The computer of claim 17 wherein the means for adjusting an operational level of the subsystem of the computer comprises means for adjusting a speed of a peripheral bus, with corresponding adjustments to a speed of the at least one peripheral device connected to the peripheral bus.
24. (Original) The computer of claim 17 wherein the means for receiving comprises a graphical user interface for enabling the user to select an acoustic level.
- 25-29. (Canceled).
30. (Previously Presented) A method of providing acoustic management in a system for handling information comprising:
- providing a computing device including a processor and a storage;
 - receiving from a user, instructions regarding a selected acoustic level via an interface;
 - using an acoustic level bar and a computer input device for selecting a desired acoustic level;
 - a dial indicating, as a percentage of a maximum possible acoustic level, the acoustic level selected;
 - performing a pre-test to determine current media drive seek settings and current system settings in the computer, the media drive including a plurality of preset seek profiles, each having a known acoustic level, the system settings determining a power management level;
 - adjusting an operational level of at least one subsystem of the computing device to achieve the selected acoustic level including adjusting a seek time of the media drive of the computing device;
 - making corresponding adjustments by at least one power management system in the computer; and
 - performing a post-test to determine if further adjustment is desired.

31. (Previously Presented) An acoustic management system for use in a system for handling information comprising:
- means for storing, handling and computing information;
 - means for receiving from a user, instructions regarding a selected acoustic level; an acoustic level bar and a computer input device coupled to select a desired acoustic level;
 - a dial provided to indicate, as a percentage of a maximum possible acoustic level, the acoustic level selected;
 - means for performing a pre-test to determine current media drive seek settings and current system settings in the computer, the media drive including a plurality of preset seek profiles, each having a known acoustic level, the system settings determining a power management level;
 - means for adjusting an operational level of at least one subsystem of the means for computing to achieve the selected acoustic level, said means for adjusting including a seek time of the media drive of the means for computing;
 - means for making corresponding adjustments by at least one power management system in the computer; and
 - means for performing a post-test to determine if further adjustment is desired.
32. (Previously Presented) A method of providing acoustic management in a computer comprising:
- selecting an operational level of a cooling subsystem in response to a user input indicating a desired acoustic level; and
 - adjusting operation of at least one computer component to maintain a thermal profile manageable by the cooling subsystem operating at the selected operational level.
33. (Previously Presented) The method of claim 32 wherein the cooling subsystem is a system fan.
34. (Previously Presented) The method of claim 32 wherein the cooling subsystem is a processor fan.

35. (Previously Presented) The method of claim 32 further comprising accepting the user input via an interface.
36. (Previously Presented) The method of claim 32 further comprising adjusting a seek time of the hard disk drive of the computer.

EVIDENCE APPENDIX

There is no evidence submitted pursuant to 37 CFR §§ 1.130, 1.131, or 1.132, nor has any other evidence been entered by the Examiner.

RELATED PROCEEDINGS APPENDIX

There are no related proceedings, and, thus, no copies of decisions exist.